

Kanyon Sayers-Roods, Plaintiff  
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*Sayers-Roods, et al. v. Machado (CAND, June 16, 2022)*  
C.A. No. 5:2022cv03092

# EXHIBIT FF

WITNESS AFFIDAVIT OF  
CARY PETERSON (5/12/2022)

(*Supra.* D.I.1-4 at 39-42)

[Court Document originally filed in

CIR, Inc. v. Machado, C.A. No. 22-CV-01319

(DCD, May 13, 2022)]

UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA

COSTANOAN INDIAN RESEARCH INC., ET

AL.

Plaintiff

-vs-

MARLENE RITA MACHADO

Defendant

\_\_\_\_\_  
(Case I.D. Number)

WITNESS AFFIDAVIT IN SUPPORT OF  
PLAINTIFF'S VERIFIED CIVIL  
COMPLAINT  
(CARY PETERSON)

**AFFIDAVIT**

I, CARY PETERSON, of SAN JOSE, California, MAKE UNSWORN OATH AND SAY THAT:

1. I declare that I am presently Chief of Legal Affairs and Compliance (In-house Counsel) of Costanoan Indian Research Inc. ("CIR"), a registered 501(c)(3) non-profit organization, and Tribal Council of Chualar-Costanoan Indian Nation of Indian Canyon ("Tribe"), with a headquarters at Indian Canyon Ranch, 1 Indian Canyon Road, Hollister, California, primarily owned and held by the Indian Canyon Chualar Tribe of the Costanoan-Ohlone People. I was appointed this corporate/tribal title on or about February 28, 2022. Moreover, I have served as a CIR-Tribe volunteer and board advisor since in or about 2021.
2. I declare that I am a registered lobbyist at United States Congress under 2 U.S.C. 1601-1609 et seq. (LDA) [Senate LID No. 401103650; House LID No. 42916], hold a doctorate degree of law on intergovernmental affairs and international diplomacy (UNAug) per U.S. District Court records from unrelated cases, have studied law at Harvard University, and have worked as a executive manager at a law and lobbying firm known as Robert Peterson & Fields Associates PC since in or about November 2014. And presently I am a student at Harvard University studying law among online, hybrid, or extension courses.
3. I declare that I have researched each statute on Cornell Law School Legal Encyclopedia (<https://www.law.cornell.edu/uscode/>) prior to submitting this affidavit. Therefore, I attest my general understanding of 18 U.S.C. 1151 (Congress's definition of "Indian Country"), 28 U.S.C. 1732-1733 (Congress's definition of government records and papers, or any document under

business records exception), 25 U.S.C. 1529-1530 (Congress's definition of "Indian," "tribe," and "Indian tribe").

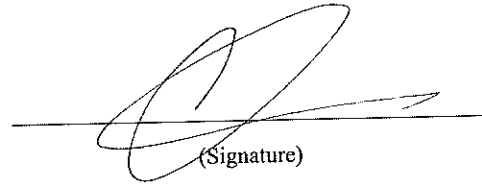
4. I declare that I have reviewed and researched government documents issued by the U.S. Department of the Interior and the U.S. President demonstrating official certification via Government seal or signature by a U.S. government official acknowledging a trust patent that issued to Sebastian Garcia of the Chualar Indians and Ann-Marie Sayers of the Costanoan Indians. Additionally, I can attest to conducting due diligence on government documents showing 'Indian roll numbers' (RNs) for Costanoan Indians referred by the government as Christopher Sayers and Ann-Marie Sayers who were classified as great grandchildren to Sebastian Garcia.
5. I declare to have reviewed a document found at the United States Senate website ([www.senate.gov](http://www.senate.gov)), showing a certification from a law and lobbying firm called Hogan and Hartson LLP, who was working for a client by the name of Indian Canyon Chualar Tribe of Costanoan-Ohlone People. As I understand, presently, Ann Marie Sayers, Christopher Sayers, and Kanyon Sayers-Roods, are the tribal members that make up the executive council of the Indian Canyon Chualar Tribe of Costanoan-Ohlone People.
6. I declare that my service to Tribe and CIR requires me to adopt and uphold precedent of the Constitution for the Chualar Indians of Indian Canyon' signed and executed in 1974, by a person I have known as Ann Marie Sayers. Moreover, I understand this document to be a constitution to have a governing influence of its tribal members from historical times to the present. This includes tribal land ordinances prescribed by Tribe. And, as General Counsel and Chief Advisor of Council of Tribe and CIR, reporting to Chair of Council and CIR President, I presently uphold this Constitution for the Chualar Indians of Indian Canyon ratified by Ann-Marie Sayers in 1974, and preserve claim to any immunities or prerogatives held by such a title under 2 U.S.C. 1607, 18 U.S.C. 112, 18 U.S.C. 1161(b) et seq., Public Law 280, and Federal Indian Law of United States Department of the Interior (2008).
7. I declare that on or about April 23, 2022, I asked me to assist CIR-Tribe officials and Tribe security-volunteers to safely get Ann-Marie Sayers, a CIR official and Tribe member, to the hospital for a wellness check. There were several discussion in the eve of this 'rescue mission.' However, after several findings and discovery of personal injury to Ms. Sayers and property injury to Indian Canyon, whereupon an intervention and cease-and-desist notice commanding Marlene Machado to leave Indian Canyon, the decision was made by Tribe council and CIR board of directors to take Ms. Sayers to safety.

Affidavit

8. I declare that on or about April 10, 2022, I received a recording of CIR board meeting, wherewith, a non-tribal and non-corporate observer, who I know as Marlene Machado, told CIR officials, "I ain't going nowhere!", after which CIR and Tribe officials asked her to depart from Indian Canyon due to a compilation of violent outbursts and habitual obstruction of tribal affairs and business operations, that seemingly occurred before I began involvement with Tribe and CIR in 2021; and continue to occur after my involvement with CIR and Tribe through the present.
9. I declare that, on or about April 23, 2022, I received a video clip from CIR President Sayers-Roods which showed Marlene Machado attacking CIR-Tribe volunteers (attempting to form a body shield to restrain Machado), who I know as "Jon" (Bunting) and "Nicki" (Rhodes), with one of Tribe's ceremonial stones. This video shows Machado attempting to prevent CIR officials Sayers-Roods and Heinz from taking Ann-Marie Sayers to Heinz's car, in Sayers's wheelchair. Moreover, I see that Machado's attack with the tribal stone caused Rhodes's arm to bleed.
10. I declare that, on or about April 23, 2022, on behalf of CIR's executive board and Tribe council, I communicated with the Bureau of Indian Affairs, Santa Clara Health Services, United States Marshal Services, Office of California Attorney General, and Office San Benito County District Attorney, regarding the April 23, incident at 1 Indian Canyon Road, an address I know to be within Indian Country under 18 U.S.C. 1151.
11. I declare that, from February 2022 through April 2022, while serving Tribe and CIR in an official capacity, I unveiled findings or discovery of several deficiencies, civil violations, delinquencies, and professional incompetence, relative to Marlene Machado interfering with CIR operations and Tribe activities. Hence, from February through present, on behalf of CIR and Tribe, I invoked hiring corporate attorney counsel, accounting services from a CPA, and attorney consultation(s) from legal experts in criminal, personal injury, and Federal Indian law, in efforts to cure the aforementioned problems that prevented CIR from conducting commerce in general, as the state officials had previously decreed prior to my involvement with CIR.
12. I declare that, from February through April, 2022, I have reviewed and transcribed multiple recordings of CIR board meeting, wherewith Marlene Machado has disrupted conferencing, used profanity, and made violent threats to CIR voluntary staff and officials.
13. I declare that, from January through present, 2022, I enabled CIR officials Kanyon Sayers-Roods and Charles Heinz (POA Agents of Ann-Marie Sayers) to make exigent efforts to get CIR founder-director Ann-Marie Sayers medical coverage reinstated, treatment for substance abuse, a competent power-of-attorney agent under contract, and an overall wellness check at the hospital.

Affidavit

14. On this 12th day of May, 2022, I, Cary Lee Peterson, declare and submit the foregoing as true and correct, under penalty of perjury and in lieu of oath under 28 U.S.C. 1746.

  
(Signature)

CARY L. PETERSON